

REMARKS

Claims 1-14 are pending in the Application.

Claims 1-14 stand rejected.

I. REJECTION UNDER 35 U.S.C. § 112

Claim 11 stands rejected under 35 U.S.C. § 112, second paragraph. The Examiner asserts that claim 11 is indefinite and requests correction or clarification. In response, Applicants respectfully traverse this rejection. FIGURE 5 shows the inventive device in a closed position so that an image can be viewed on the display through the window 102. FIGURES 9-10 show how the apparatus can now be used to allow a viewer to use the telephone as shown in FIGURE 10 and view the image as reflected onto the flip-open mirror 105. Claim 8 shows that the displayed image 102 has rotated 90° so that when the person using the telephone as shown in FIGURE 10 sees the image right side up, relative to the way the image was displayed in FIGURE 5. This is what claim 11 is reciting.

II. REJECTIONS UNDER 35 U.S.C. § 102

Claims 1 and 4-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Budd et al.* (U.S. Patent No. 5,970,418). Claim 1 has been amended to incorporate the limitations of claim 2, and claim 8 has been amended to incorporate the limitations of claim 9. Therefore, the § 102 rejections are moot.

III. REJECTIONS UNDER 35 U.S.C. § 103

Claims 9-12 stand rejected under 35 U.S.C. § 103 as being unpatentable over *Budd* in view of *Holshouser et al.* (U.S. Patent No. 6,151,486). Claims 2-3 and 13-14 stand rejected under 35 U.S.C. § 103 as being unpatentable over *Budd* in view of *Novis et al.* (U.S. Patent No. 5,867,795).

In response, Applicants respectfully traverse these rejections. *Budd* is not proper prior art for use in a § 103 rejection. Under 35 U.S.C. § 103(c), subject matter developed by another person which qualifies as prior art only under one or more of subsection (e), (f), and (g) of §102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. *Budd* would qualify as prior art under 35 U.S.C. § 102(e), since it is a patent granted on an application for patent filed by another in the United States before the invention by the applicants of the present application. Further, the present application and *Budd* are both assigned to IBM.

IV. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that the remaining Claims in the Application are in condition for allowance, and respectfully request an early allowance of such Claims.

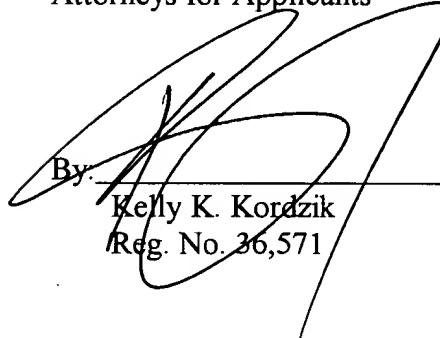
Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,

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